

Court of Appeals, State of Michigan

ORDER

People of MI v Deonte Antwaune Benton

Docket No. 303423

LC No. 09-026122-FC

Stephen L. Borrello
Presiding Judge

William C. Whitbeck

Patrick M. Meter
Judges

The Court orders that the motion to file a supplemental brief is DENIED.

Pursuant to MCR 7.205(D)(2), in lieu of granting delayed application for leave to appeal, the Court orders that the matter is REMANDED for resentencing on the carjacking offense. The court is directed to modify the minimum sentence to comply with the provisions of *People v Tanner*, 387 Mich 683; 199 NW2d 202 (1972). *People v Floyd*, 481 Mich 938; 751 NW2d 34 (2008).

In all other respects, the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented.

We do not retain jurisdiction.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

MAY 18 2011

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Chief Clerk